
DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Nowlin

HB No. 1185

Abstract: Creates the Home- and Community-Based Long-Term Care Act.

Proposed law creates the Home- and Community-Based Long-Term Care Act and provides for its purpose and definitions.

Proposed law directs the Dept. of Health and Hospitals (DHH) to promulgate rules and regulations to complete implementation of the resource allocation models for the New Opportunities Waiver, the Elderly and Disabled Adults Waiver, and the Long-Term Personal Care Services program by July 1, 2012.

Proposed law provides that DHH shall submit quarterly reports to the House and Senate committees on health and welfare and the Joint Legislative Committee on the Budget and specifies the content of each quarterly report.

Proposed law provides that the rules and regulations shall be promulgated no later than Oct. 1, 2010.

Proposed law further provides that DHH shall submit to the secretary of the U.S. Dept. of Health and Human Services the necessary revisions to the Medicaid state plan for medical assistance and various approved waivers that must conform to the new law.

(Adds R.S. 40:1300.321-1300.323)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Health and Welfare to the original bill.

1. Deleted "program for all-inclusive cares for the elderly" from the definition of "long-term care services".
2. Made technical changes.
3. Clarified that the definition of "person with developmental disability" as used in proposed law is the same as the definition in present law.

4. Changed the date by which DHH must implement the resource allocation models from July 1, 2011, to July 1, 2012.
5. Deleted the requirement for DHH to calculate regional averages for home- and community-based long-term care services programs and the requirement for DHH to develop and implement a plan reducing the costs of those programs which exceed the regional average.

House Floor Amendments to the engrossed bill

1. Required DHH to adopt rules and regulations to develop an objective formula to determine necessary staff to regulate and monitor home- and community-based programs.
2. Required DHH to adopt rules and regulations to change the policy on the allocation of waiver slots so that waiver slots are allocated upon individual need and cost-effectiveness as long as individual needs are met with alternative waivers.
3. Required DHH to adopt rules and regulations to develop and implement a budget neutral pilot program in certain areas of the state for an integrated and coordinated prepaid delivery model for long-term care services for the elderly and people with adult-onset disabilities.